

MINUTES
CHARLOTTE COUNTY BOARD OF ZONING APPEALS
Wednesday, September 12, 2012 – 9 a.m. – Room 119
Charlotte County Administration Center
18500 Murdock Circle
Port Charlotte, FL 33948-1094

(These minutes are not official until they have been approved by the Charlotte County Board of Zoning Appeals)

Members Present

Tom Thornberry, *Chairman*
Katherine Ariens, *Secretary*
Bill Truex
Blair McVety
Steve Vieira

Staff Present

Derek Rooney, *Assistant County Attorney*
Shaun Cullinan, *Zoning Official*
Ken Quillen, *AICP, Planner III*
Diane Clim, *Recorder*

I. Call to Order

Chairman Thornberry called the September 12, 2012 meeting of the Board of Zoning Appeals to order at 9:00 a.m.

II. Pledge of Allegiance

Chairman Thornberry led the members and the audience in reciting the Pledge of Allegiance.

III. Roll Call

Roll call was taken; a quorum was present.

IV. Swearing In of Those Giving Testimony

Diane Clim swore in all persons who wished to provide testimony.

V. Approval of Minutes

ACTION: A motion was presented by Ms. Ariens and seconded by Mr. Truex to approve the minutes of the August 8, 2012 meeting of the Board of Zoning Appeals, motion passed with a unanimous vote.

VI. Disclosure Statements

Ex-parte forms indicating site visits concerning the petitions being presented before the September 12, 2012 Board of Zoning Appeals meeting were submitted.

VII. Introduction of Staff/Comments

Chairman Thornberry introduced staff. *Shaun Cullinan*, *Zoning Official*, *Attorney Derek Rooney*, and *Chairman Thornberry* made introductory remarks regarding the types of requests that the Board of Zoning Appeals would be reviewing and the standards which must be met, the notification process and how the Board of Zoning Appeals makes its decision.

VIII. New Business

The following petition was advertised on August 28, 2012: SE-12-012

SE-12-012:

Allen Shrum, agent for Octagon Wildlife Sanctuary, is requesting a special exception to bring the existing Octagon Wildlife Sanctuary into conformity with the Zoning code and allow a mobile home, to be used as a residence, in the Agriculture General (AG) zoning district. The property address is 41600 and 41660 Horseshoe Road, Punta Gorda, and is described as Lot 11 and the west half of Lot 9 of Horseshoe Acres Subdivision, located in Section 25, Township 42 South, Range 25 East.

Ken Quillen presented general information and staff findings for the petition.

Applicant Presentation

Allen Shrum, agent for the applicant, said they contracted with Ms. Caron to put the mobile home up, started going through the permitting process, and found out they needed the special exception.

Mr. Thornberry said this application is also to get the sanctuary in compliance, correct?

Shaun Cullinan, Zoning Official, said that is correct. Animal sanctuaries can be allowed through the special exception process. That was not done before and they have been out there a long time. Animal sanctuaries are allowed through the special exception process. Since they were coming in for the mobile home, we added this and wrapped it up all into one.

Chairman Thornberry opened the meeting to Public Hearing.

Public Input

Charles Loewel, who lives on Horseshoe Road, said he was sworn in. He said Laurie does a great job with the animals and is there many long hours into the night. It is a hardship for her and this would help her and the animals. She has made many improvements and has helped the area and neighbors over the years.

Laurie Caron, who runs the sanctuary, said she was sworn in. She thanked the staff and Board. She does travel every day from Port Charlotte to Punta Gorda. She helps her mom and goes back and forth and this will be a big relief for her.

There being no further requests to speak for or against the petition, Mr. Truex moved to close the public hearing, seconded by Ms. Ariens. The public hearing was closed with a unanimous vote.

Ken Quillen presented the analysis, conclusion and recommended conditions for the petition.

Board Member Comments and Questions

None

ACTION: A motion was presented by Bill Truex and seconded by Katherine Ariens that Petition SE-12-012 be APPROVED based on the Community Development Staff Report dated September 4, 2012, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the Special Exception with 4 conditions.

Motion was approved with a unanimous vote with the following four conditions:

1. The special exception as approved by the Board of Zoning Appeals is to allow an animal sanctuary and a mobile home, to be used as a residence.
2. This special exception extends only to the land included in the Site Plan and legal description submitted with this application.
3. The site plan submitted by the applicant as part of the petition is for illustrative purposes only. All permitting procedures and codes are applicable to the erection and operation of the proposed mobile home as well as any future buildings.
4. Any major changes or additions to this special exception shall require a modification of the special exception. Minor changes or additions such as accessory uses or structures may be approved by the Zoning Official.

Election of Officers

Mr. Thornberry nominated Ms. Ariens for Vice-Chair, second by Mr. McVety. Ms. Ariens was elected with a unanimous vote.

Mr. Truex nominated Mr. Vieira for Secretary, second by Ms. Ariens. Mr. Vieira was elected with a unanimous vote.

IX. Public Comments - None

X. Staff Comments -

Mr. Quillen said there is one petition for October.

XI. Member Comments -

Mr. Vieira said he would not be able to attend the October meeting.

XII. Next Meeting

The next meeting of the Board of Zoning Appeals is scheduled for **Wednesday, October 10, 2012, at 9:00 a.m., in Room 119.**

There being no further business, the meeting **ADJOURNED** at 9:30 a.m.

Respectfully submitted,

Diane Clim, Recorder
/dlc



Thomas Thornberry, Chairman

Approval Date: 10-10-12